

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

MITZI BICKERS

Criminal Action No.

1:18-CR-98-SCJ-LTW

CONSENT PRELIMINARY ORDER OF FORFEITURE

Mitzi Bickers having been found guilty of Counts One and Four through Ten of the Superseding Indictment, pursuant to which the United States sought forfeiture of certain property under 18 U.S.C. §§ 981(a)(1)(A) and (C), 982(a)(1), and 28 U.S.C. § 2461(c) and the Court having determined that the property described below is subject to forfeiture pursuant thereto, that the Government has established the requisite nexus between said property and the offense charged in the above-referenced counts of the Superseding Indictment, and the Defendant having consented to this Consent Preliminary Order of Forfeiture becoming final as to her, being made a part of her sentence, and being included in the judgment against her;

IT IS HEREBY ORDERED that Mitzi Bickers shall forfeit to the United States the following property pursuant to 18 U.S.C. §§ 981(a)(1)(A) and (C), 982(a)(1), and 28 U.S.C. § 2461(c):

- a. the Real Property located at 3306 Bay View Drive, Jonesboro, Georgia,
more particularly described as:

[Tax Parcel ID: 61 075-2011-004786]

All that tract or parcel of land lying and being in Land Lot 9 of the 12th District, Henry County, Georgia, being Lot 18, Block A, of Bayview Lake Spivey Estates, and being more particularly described as follows:

Beginning at a point located on the easterly right of way of a cul-de-sac located at the end of Bay View Drive, said point being a distance of 548.50 feet southeasterly as measured along the right of way of Bay View Drive from the intersection of Bay View Drive with the right of way of Lost Valley Drive; from said point of beginning continuing thence in a southeasterly, southerly and southwesterly direction, and following along the right of way of Bay View Drive, along the arc of a curve to the right an arc distance of 80.00 feet (chord bearing South 34 degrees 23 minutes 33 seconds West and a chord length of 74.22 feet) to a point; running thence South 32 degrees 33 minutes 26 seconds East a distance of 275 feet, more or less, to the shoreline of Lake Spivey; running thence in a northerly and northeasterly direction, and following along the shoreline of Lake Spivey, and following the meanderings thereof, a distance of 388 feet, more or less, to a point; running thence South 76 degrees 25 minutes 20 seconds West a distance of 250.00 feet, more or less, to a point and the point of beginning.;

- b. 2014 GMC Acadia Denali, bearing VIN 1GKKRTKD8EJ138259;
- c. 2014 Yamaha WaveRunner, model VX1800A-NB, US-YAMA3116J314;
- d. 2013 Yamaha WaveRunner, model SJ700, JP-YAMH0089E313;
- e. 2013 Yamaha WaveRunner, model GX1800A, US-YAMA3940D313; and
- f. 2014 Yamaha WaveRunner, model FA 1800-N, US-YAMA1141L31.

IT IS HEREBY ORDERED that upon entry of this order, the United States Attorney General, or his designee, is authorized to seize the property in accordance with Fed. R. Crim. P. 32.2(b)(3).

The United States shall publish notice of this Order and its intent to dispose of the property in accordance with Fed. R. Crim. P. 32.2(b)(6) and in such a manner

as described in Supplemental Rule G(4)(a)(iii) and (iv) of the Federal Rules of Civil Procedure. The United States shall send written notice, in accordance with Supplemental Rule G(4)(b)(iii)-(v), to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture of the above-listed property in the ancillary proceeding.

Pursuant to 21 U.S.C. § 853(n)(2), as incorporated by 18 U.S.C. § 982(b)(1), any person, other than the named Defendant, asserting a legal interest in the property may within thirty days of the final publication of the notice or their receipt of the notice, whichever is earlier, petition the Court for a hearing without a jury to adjudicate the validity of their alleged interest in the property and for an amendment to the order of forfeiture. Any petition filed by a third party asserting an interest in the property shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the property, the time and circumstance of the petitioner's acquisition of the right, title, or interest, and any additional facts supporting the petitioner's claim and the relief sought.

After the disposition of any motion filed under Fed. R. Crim. P. 32.2(c)(1)(A) and before a hearing on the petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure upon a showing that such discovery is necessary or desirable to resolve factual issues.

The United States shall have clear title to the property following the Court's disposition of all third-party interests or, if none, following the expiration of the period provided in 21 U.S.C. § 853(n)(2) for the filing of the third-party petitions.

The Court shall retain jurisdiction to enforce this order and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

IT IS FURTHER ORDERED that, pursuant to Fed. R. Crim. P. 32.2(b)(4), this Preliminary Order of Forfeiture is hereby final as to the Defendant, but remains preliminary as to third parties until the ancillary proceeding is concluded under Rule 32.2(c).

SO ORDERED this _____ day of _____, 2022.

STEVE C. JONES
UNITED STATES DISTRICT JUDGE

Submitted by:



Kelly K. Connors
Assistant United States Attorney

Consented to:



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Mitzi Bickers, Defendant